

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Local Administration and Welfare Department

Notification

3-11-78/ADM/81/3213/81

The Regulations made by the Goa, Daman and Diu Housing Board under Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act No. 12 of 1968) regarding the allotment of sites/tenements, by the Housing Board sanctioned by Government vide letter No. 2-1/78/LAWD/Part II dated 15th January 1982 are published hereunder for general information.

Gurudutt G. Sanzgiri, Chairman.

Panaji, 16th January, 1982.

GOA, DAMAN AND DIU HOUSING BOARD

(Regulations governing Registration, Allotment and Sale of Plots for construction of Residential Houses under the Housing Scheme)

In exercise of the powers conferred by Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act 12 of 1968) and all other powers enabling it in this behalf the Goa, Daman and Diu Housing Board with the previous approval of the Government hereby makes the following regulations:—

1. **Short Title and Commencement.**— (1) These regulations may be called the Goa, Daman and Diu Housing Board Registration, Allotment and Sale of Plots) Regulations, 1981.

(2) They shall apply to the registration of intending purchasers of plots developed by the Goa, Daman and Diu Housing Board for construction of residential house/flat/bungalow.

(3) They shall come into force at once.

2. **Definitions.**— In these regulations, unless the context otherwise requires—

(i) "Act" means the Goa, Daman and Diu Housing Board Act 1968 (12 of 1968);

(ii) "Allotment Committee" means a Committee constituted under Regulation 7 for the purpose of allotment of a plot under sub-division (1) of Section 19 of the Act;

(iii) "allottee" means a person to whom allotment of a plot is made;

(iv) "applicant" means a person who has applied to the Board for a plot for the construction of a residential house/flat/bungalow under the scheme specified in these regulations;

(v) "Board" means the Goa, Daman and Diu Housing Board;

(vi) "ex-servicemen and their dependents" means the former members of the armed forces of the Union not being persons who have ceased to be members of the armed forces as a result of their being duly dismissed or discharged after a Court Martial or as a result of desertion or who have been arrested;

(vii) "Family" in relation to an applicant means such applicant, and if married, the wife or husband, as the case may be, and dependent parents, dependent children and unmarried sisters actually dependent upon him/her;

(viii) "Form" means a form appended to these regulations;

(ix) "Freedom Fighter" means a person who has been recognised as such by the Government;

(x) "Government" means the Government of Goa, Daman and Diu;

(xi) "Government employees and employees of Central Government and Statutory Bodies/Public Sector Undertakings/Corporations, etc." means such employees who have put in not less than 5 years continuous service as such and are in permanent employment;

(xii) "income" in relation to an allottee or applicant means the total annual income regularly derived by his/her family from occupation, trade, business, employment or any calling or source, constituting normal means of livelihood. Such in-

come, however, shall not include, in the case of salaried members the overtime allowances, bonus, provident fund, gratuity, medical reimbursement or travelling allowance, etc. drawn. The income will be determined with reference to the annual income for the financial/calendar year preceding the year in which the applications are invited;

(xiii) "Other Backward Classes" are those communities which have been notified as such by the Government from time to time;

(xiv) "Para-military Forces" include personnel of Border Security Force, Indo-Tibetan Police Force, Assam Rifles, etc. who have been killed or disabled or declared missing in 1962 Sino-Indian Conflict and 1965 and 1971 Indo-Pak Conflict or any other combat thereafter on production of a certificate from the Defence or similar Authorities, as the case may be;

(xv) "plot" means a developed plot of land having specified dimension and boundaries allotted for the purpose of construction of a residential house/flat/bungalow;

(xvi) "Scheduled Castes" are those classes which have been notified as such under The Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

(xvii) "Scheduled Tribes" are those classes which have been notified as such under The Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968.

3. Conditions of eligibility. — (1) The applicant must be a domicile of the Union Territory of Goa, Daman and Diu with a residency period of not less than 10 years or whose parents or grand-parents are of the origin of the Union territory:

Provided that such period of residency in case of those categories of persons defined in clauses (vi), (xi) and (xiv) of regulation 2, shall be only 2 years.

(2) The applicant or any other member of his or her family should not own a plot of land or any other dwelling unit within 10 kms. radius of plot sought to be acquired, either on freehold or leasehold or on hire purchase basis;

(3) The applicant or any other member of his or her family should not own more than one plot of land or any other dwelling unit in the Union territory of Goa, Daman and Diu either on freehold or leasehold or hire purchase basis;

(4) The applicant shall be entitled to fill in only one application form either in his or her own name or in the name of any other member of his or her family and to apply only in one of the category to which he or she may belong, namely either as a member of the general public or in any of the reserved categories specified hereunder;

(5) Only such classes of persons whose annual income exceeds Rs. 4,200/- but does not exceed Rs. 30,000/- shall be eligible to apply for registration:

Provided that the Board may dispose off plots by public auction in accordance with the procedure notified from time to time, in which case the ceiling limit of annual income of Rs. 30,000/- shall not apply for intending bidders.

(6) The Applicant should have attained the age of majority at the time of application;

(7) No applicant shall be eligible for allotment of plot on the second occasion by the Board.

4. Reservation of plots. — (1) The reservation of plots for persons belonging to different categories shall be as under: —

- | | |
|--|----|
| (i) Scheduled Castes/Scheduled Tribes and other backward classes | 2% |
| (ii) Existing and ex-members of Parliament/M.L.As/Freedom Fighters | 2% |
| (iii) Ex-Servicemen including personnel of Para-Military forces and widows of defence personnel killed in action | 1% |

(2) The Housing Board shall set apart 25% of the plots for sale by open auction on down cash basis.

(3) The eligibility criteria for the disposal of the remaining plots shall be the income of the applicants who should be categorised as follows:

- (i) economically weaker sections.
- (ii) low income-groups.
- (iii) middle income-groups.
- (iv) higher income-groups.

(4) The percentage of allotment amongst the aforesaid categories may be decided by the Board.

NOTE: (1) Reservation quota for categories other than general shall operate only if and when the number of plots available for disposal at a time is fifty or more;

(2) While computing the reservation percentage fraction thereof shall be ignored and added to the general category;

(3) Where there are no applicants from any particular reserved category, the quota earmarked for such category shall be added to the general category.

(4) The following income certificates may be considered admissible: —

- | | |
|---|--|
| (i) Higher income group and middle income group. | — income certificate from the employer/copy of income tax return/tax assessment order. |
| (ii) Low-income group/economically weaker sections. | — income certificates from the employer or from any Revenue Authority prescribed to issue such certificate under the Rules in force. |

5. Notice of Registration. — The Board shall issue an advertisement in the local newspapers giving wide publicity inviting applications for registration of plots by such date as may be decided. The notice shall specify the location, size, cost, eligibility, etc. of plots available for allotment both for general and reserved categories as specified in Regulation 4 above and also of the amount of initial deposit, subsequent amount payable, etc. the last date of submission of applications and such other particulars as the Board may consider necessary.

6. Applications for Registration. — (1) The application for registration of a plot in pursuance of notice issued under Regulation 5 above shall be in Form "I" and shall be subject to fulfilling the conditions of eligibility specified in Regulation 3.

(2) The application shall be accompanied by a deposit either in cash or by pay order/demand draft payable at Panaji and all other documents stipulated therein.

(3) The deposit payable shall be Rs. 5,000/- and shall bear simple interest at the rate of 5% per annum.

7. Registration of Applicants. — Subject to the provisions of these regulations, the Secretary to the Housing Board shall examine the applications so received and place the same before the Allotment Committee with his own findings. The Allotment Committee should only satisfy itself about the bonafides of the applications for the registration. The Committee shall consist of the following: —

- (i) Chief Secretary — Chairman.
- (ii) Collector of Goa — Member.
- (iii) Housing Board Chairman — Member.

8. Drawal of lots for the purpose of Allotment. —

(1) The Chairman shall, in the presence of the Members of the Allotment Committee, proceed to draw lots corresponding to the number of plots for the allotment of which applications are invited:

Provided that if the number of applications is less than the number of plots to be allotted, the Chairman may allot the plots to all such applicants:

Provided further that the applications of unsuccessful applicants shall continue to be registered and subjected to the drawal of lots depending upon the number of plots available for allotment from time to time in accordance with the provisions of these regulations.

(2) In so far as persons belonging to reserved categories are concerned, categorywise lots will be drawn in the same manner as in clause (1) above.

9. Allotment of Plots. — (1) After the lots are drawn in accordance with the procedure laid down in Regulation 8 above, the Chairman shall prepare a list of successful allottees in the serial order in which the lots are drawn in their favour and will cause the allotment of plots to be made accordingly.

(2) Similar lists will be prepared for the reserved categories and allotments made accordingly.

(3) The offer of allotment shall be issued in Form "II".

(4) On receipt of the offer of allotment, the allottee shall within a period of 15 days convey his or her acceptance of the plot in Form "III".

(5) The order of allotment of plot shall be issued in Form "IV" as and when the plot is ready for allotment;

(6) Failure to convey the acceptance within the period stipulated in clause (4) above, the allotment made will be cancelled and 5% of the money deposited by the applicant forfeited to the Board and the balance refunded without any interest.

(7) The decision of the Chairman in the matter of allotment of the plots shall be final and binding on the allottees.

(8) The plot offered shall be on as is where is basis and the allottee shall not have any right to complain or raise any objection about its nature, condition or planning etc. or to claim any damages or compensation on any account from the Board.

10. Cost, calculation and construction of house, etc. — (1) The cost of the plot allotted shall be final and payment thereof made in one lumpsum within a period of 45 days of receipt of the order of allotment under the foregoing regulations. Delayed payment shall be subject to penal interest at such rate as may be decided by the Board.

(2) The allottee shall construct a house or a flat or a bungalow over the allotted plot within a period of 3 years from the date of allotment failing which the plot will be reverted to the Board and the cost refunded to the allottee without payment of any interest therefor.

Provided that the Board may, on an application made in this behalf and for reasons to be recorded in writing extend the period to a maximum of 5 years.

(3) The allottee shall prepare the construction plans of the house/flat/bungalow, keeping in mind the aesthetic point of view, on the basis of ground coverage, control of height and roof, rather than on the basis of Floor Area Ratio as prescribed for each area by the Board and obtain a No Objection Certificate from the Board before submission of plans to the Municipal Council or the Village Panchayat, as the case may be.

(4) The construction of the house/flat/bungalow shall be in accordance with plans approved by the Municipal Council or the Village Panchayat, as the case may be, under the Rules and Regulations in force in the locality concerned.

(5) The allottee shall execute a conveyance deed towards the transfer of the allotted plot within 30 days of the construction of the house/flat/bungalow. Till such time as the conveyance deed is not executed, the allotment of the plot shall, for all intents and purposes, be allotment simpliciter for the purpose of construction of a house.

11. Misrepresentation or suppression of facts. — If it is found at any stage that the applicant has given false information or suppressed any material facts, the application shall be rejected and the allotment of plot if already made shall be cancelled and the allottee shall be liable to pay the penalty as may be decided by the Board.

12. Other conditions. — The powers to relax and or to amend any of the provision/s of these regulations shall rest with the Administrator/Lt. Governor.

13. These regulations issue in supersession of —

(i) The Goa, Daman and Diu Housing Board (Allotment and use of buildings constructed or managed under any Housing Scheme) Regulations 1971 as published in Official Gazette Series I, No. 15 dated 8-7-1971 read with corrigendum published in Official Gazette Series I, No. 32 dated 4-11-1971.

(ii) The revised regulations regarding scheme for registration of intending purchasers of houses/flats and plots of land published in Official Gazette Series III, No. 13 dated 28-6-1973 read with amendment published in Official Gazette Series III, No. 25 dated 20-9-1973.

FORM I

Form of application for registration of plot

[See Regulation 6(1)]

1. Applicant's full name (in block letters): ...
2. Address:
 - (a) Permanent: ...
 - (b) Present: ...
3. Occupation:
 - (a) Name of Establishment/Office: ...
 - (b) Nature of Job on which employed, if any ...
4. (a) Present pay including allowances ...
- (b) Total annual income of all the earning Members of the applicant's family for the last financial/calendar year (certificate to be enclosed):
5. Category for which applied (whether reserved or general; if reserved, certificate in proof to be enclosed):
6. Amount of deposit made (whether by cash or pay order/demand draft No. ... dated ...)
7. Locality to which application relates: ...
8. Whether owning a plot or any dwelling unit within 10 kms. of the plot applied for either as freehold or lease-hold or on hire purchase basis (if not to be supported by an affidavit in Form "V").
9. Whether owns more than one plot or dwelling unit within the Union Territory (if not to be incorporated in the affidavit)
10. Period of residency in the Union Territory (certificate to be attached):

I solemnly affirm and state:

- (a) I have satisfied myself that I fulfil the conditions laid down in Regulation 3 of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots Regulations, 1981;
- (b) The statements made above are true to the best of my knowledge and belief.

Date: —

(Applicant's Signature).

FORM II

Offer of allotment

[See Regulation 9(3)]

In pursuance of Regulation 9(3) of Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations 1981, Shri/Smt./Kum. ... resident of ... is hereby offered Plot No. ... admeasuring ... sq. mts. in ... land at ... under General/Reserved Category of ... at the cost of Rs. ... (Rupees ... only) as per calculation sheet attached.

2. The offer shall be subject to the condition that a sum of Rs. ... is deposited with the Board within a period of 45 days of the receipt of the order of allotment of the plots.

3. In terms of regulation 9(4) of the aforesaid regulations, Shri/Smt./Kum. ... should convey his/her acceptance within a period of 15 days of receipt hereof failing which the offer will stand cancelled and 5% of the money deposited shall

be forfeited to the Board and the balance refunded without any interest as provided in Clause 6 of Regulation 9 ibid.

FORM III

Intimation of acceptance of offer of allotment

[As prescribed in Regulation 9(4)]

To,

The Chairman,
Goa, Daman and Diu Housing Board,
2nd Floor, Junta House,
Panaji-Goa.

Sir/Madam,

With reference to your offer of allotment made under No. ... dated ... I hereby convey my acceptance of the plot unequivocally and without any reservation or any complaint on my part in respect of the said plot.

I hereby agree to abide by the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations 1981 and the terms and conditions stipulated thereunder.

Yours faithfully,

()

FORM IV

Order of allotment

[See Regulation 9(5)]

In exercise of the powers conferred by Regulation 9(5) of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Plots) Regulations 1981, (Shri/Smt./Kum. ... is hereby allotted Plot No. ... admeasuring ... sq. mts. in ... land at ... under General/Reserved Category of ...

Shri/Smt./Kum. ... should remit the cost of the plot within 45 days of receipt of this order, as per calculation sheet appended to the offer of allotment made.

The allottee should report to this office for taking possession of the plot and for completion of other formalities after remission of the cost.

(Chairman)

FORM V

Affidavit

(Note: To be executed before a Competent Magistrate on a non-judicial Stamp Paper of Rs. 2/-).

I, Shri/Smt./Kum. ... son/wife/daughter of ... do hereby solemnly affirm and state as under: —

1. That I have applied for allotment of a plot in ... land at ... from the Goa, Daman and Diu Housing Board under General/Reserved Category of ...
2. That neither myself nor any other member of my family own a plot of land or any other dwelling unit in ... locality where I have applied for the allotment of a plot either as freehold or leasehold or on hire purchase basis;
3. That neither myself nor any other member of my family own more than one plot of land or dwelling unit in any other locality within the Union Territory of Goa, Daman and Diu either on freehold or leasehold or on hire purchase basis.

I further affirm that what is stated hereinbefore is true to my own knowledge and belief and I know that to make a false affidavit is an offence.

Deponent.

GOA, DAMAN AND DIU HOUSING BOARD

(Regulations governing Registration, Allotment and Sale of Tenements constructed under any Housing Scheme)

In exercise of the powers conferred by Section 129 of the Goa, Daman and Diu Housing Board Act, 1968 (Act No. 12 of 1968) and all other powers enabling it in this behalf, the Goa, Daman and Diu Housing Board with the previous approval of the Government hereby makes the following regulations:—

1. Short Title and Commencement.— (1) These regulations may be called the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1981.

(2) They shall apply to the registration of intending purchasers of houses, flats and bungalows constructed by the Goa, Daman and Diu Housing Board under Low Income Group, Middle Income Group and Higher Income Group Schemes, Scheme for Economically Weaker Sections of the Society or under any other Scheme approved by the Government for the purposes of these regulations in the Union Territory of Goa, Daman and Diu.

(3) They shall come into force at once.

2. Definitions.— In these regulations, unless the context otherwise requires:—

(i) "Act" means the Goa, Daman and Diu Housing Board Act 1968 (Act 12 of 1968);

(ii) "Allotment Committee" means a Committee constituted under Regulation 7 for the purpose of allotment of a tenement under Sub-Section (1) of Section 19 of the Act;

(iii) "Allotment" means a person to whom allotment of a tenement is made;

(iv) "Applicant" means a person who has applied to the Board for allotment of a tenement under any of the Schemes specified in these regulations;

(v) "Board" means the Goa, Daman and Diu Housing Board;

(vi) "Economically Weaker Section of the Society" means such class of people whose monthly income does not exceed Rs 350/- or such amount as may be notified by the Government from time to time.

(vii) "Ex-Service men" means the former members of the armed forces of the Union not being persons who have ceased to be members of the armed forces as a result of their being duly dismissed or discharged after a Court Martial or as a result of desertion or who have been arrested;

(viii) "Family" in relation to an applicant means such applicant, and if married, the wife or husband as the case may be, and dependent parents, dependent children and unmarried sisters actually dependent upon him or her;

(ix) "Form" means a form appended to these regulations;

(x) "Freedom Fighter" means a person who has been recognised as such by the Government;

(xi) "Government employees and employees of Central Government and Statutory Bodies/Public Sector Undertakings/Corporations, etc." means such employees who have put in not less than 5 years continuous service as such and are in permanent employment;

(xii) "Government" means the Government of Goa, Daman and Diu;

(xiii) "Higher Income Group" means such class of persons whose annual income exceeds Rs. 18,000/- or such amount as may be notified by the Government from time to time;

(xiv) "Income" in relation to an allottee or applicant means the total annual income regularly derived by his or her family from occupation, trade, business, employment or any calling or source constituting normal means of livelihood. Such income, however, shall not include in the case of salaried members the overtime allowance, bonus, provident fund, gratuity, medical reimbursement or travelling allowances, etc. drawn. The income will be determined with reference to the annual income for the financial/calendar year preceding the year in which the applications are invited;

(xv) "Low Income Group" means such class of persons whose annual income does not exceed Rs. 7,200/- or such amount as may be notified by the Government from time to time;

(xvi) "Middle Income Group" means such class of persons whose annual income exceeds Rs. 7,200/- but does not exceed Rs. 18,000/- or such amount as may be notified by the Government from time to time.

(xvii) "Other Backward Classes" are those communities which have been notified as such by the Government from time to time;

(xviii) "Para-Military Forces" includes personnel of border security force, Indo-Tibetan Police Force, Assam Rifles, etc. who have been killed or disabled or declared missing in 1962 Sino-Indian Conflict and 1965 and 1971, Indo-Pak Conflict or any other Combat thereafter and their families on production of a certificate from Defence or similar Authorities, as the case may be;

(xix) "Scheduled Castes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Castes Order, 1968;

(xx) "Scheduled Tribes" are those classes which have been notified as such under the Constitution (Goa, Daman and Diu) Scheduled Tribes Order, 1968;

(xxi) "Tenement" means a house, flat or a bungalow built by the Board or by Agencies entrusted by the Board.

3. Conditions of eligibility.— (1) The applicant must be a domicile of the Union territory of Goa, Daman and Diu with a residency period of not less than 10 years or whose parents or grand-parents are of the origin of the Union territory;

Provided that such period of residency in case of those categories of persons defined in clause (vii), (xi) and (xix) of Regulation 2, shall be only 2 years.

(2) The applicant or any other member of his or her family should not own a house/flat/bungalow within 10 kms. radius of tenement sought to be acquired either on freehold or leasehold or on hire purchase basis;

(3) The applicant or any other member of his or her family should not own more than one house/flat/bungalow in Union territory of Goa, Daman and Diu either on freehold or leasehold or on hire purchase basis;

(4) The applicant shall be entitled to fill in only one application form either in his or her own name or in the name of any other member of his or her family and to apply only in one of the category to which he or she may belong, namely, either as a member of the general public or in any of the reserved categories specified hereunder, and for the scheme to which he or she is entitled as per his or her declared income group.

(5) The applicant should have attained the age of majority at the time of application.

(6) No applicant shall be eligible for allotment of a tenement on the second occasion by the Board.

4. Reservation of Tenements. — (1) The reservation of tenements for persons belonging to different categories shall be as under: —

- | | |
|--|----|
| (i) Scheduled Castes/Scheduled Tribes and other backward classes | 2% |
| (ii) Existing and ex-members of Parliament/M.L.As/Freedom Fighters | 2% |
| (iii) Ex-Servicemen including personnel of Para-Military forces and widows of defence personnel killed in action | 1% |

(2) The Housing Board may place 10% of the tenements at the disposal of the Government, on payment, for allotments to Government servants.

(3) The Housing Board shall set apart 25% of the tenements for sale by open auction on down cash basis.

(4) The eligibility criteria for the disposal of the remaining tenements shall be the income of the applicants who should be categorised as follows:

- (i) economically weaker sections.
- (ii) low-income groups.
- (iii) middle income-groups.
- (iv) higher income-groups.

(5) The percentage of allotment amongst the aforesaid categories may be decided by the Board.

Note (1) Reservation quota for categories other than general shall operate only if and when the number of tenements available for disposal at a time is fifty or more;

(2) While computing the reservation percentage fraction thereof shall be ignored and added to the general category;

(3) Where there are no applicants from any particular reserved category, the quota earmarked for such category shall be added to the general category;

(4) The following income certificates may be considered admissible: —

- | | |
|---|--|
| (i) Higher income group and middle income group. | — income certificate from employer/copy of income tax return/tax assessment order. |
| (ii) Low-income group/economically weaker sections. | — income certificates from the employer or from any Revenue Authority prescribed to issue such certificate under the Rules in force. |

5. Notice of Registration. — The Board shall issue an advertisement in the local newspapers giving wide publicity inviting applications for registration of tenements by such date as may be decided. The notice shall specify the location, size, provisional cost, eligibility, etc. of tenements available for allotment both for general and reserved categories as specified in Regulation 4 above and also of the amount of initial deposit, subsequent amount payable, etc., the last date of submission of applications and such other particulars as the Board may consider necessary.

6. Applications for Registration. — (1) The application for registration of a tenement in pursuance of a notice issued under Regulation 5 above shall be in Form "T" and shall be subject to fulfilling the conditions of eligibility specified in Regulation 3.

(2) The application shall be accompanied by a deposit either in cash or by pay order/demand draft payable at Panaji, corresponding to the income group and the tenement to which the registration is made and all other documents stipulated therein;

(3) The deposit payable shall be Rs. 5,000/- for Low Income Group, Rs. 7,500/- for Middle Income Group, Rs. 10,000/- for Higher Income Group and Rs. 500/- for Economically Weaker Sections of Community. The deposit so made shall bear simple interest at the rate of 5% per annum.

Provided that in case of schemes financed with the assistance of HUDCO, the said deposit will be Rs. 500/- if the applicant belongs to Middle Income Group, Rs. 250/- for Low income Group and Rs. 100/- for Economically Weaker Sections of Community or as may be specified by HUDCO from time to time.

Explanation: "HUDCO" means the Housing and Urban Development Corporation of India Ltd.

7. Registration of Applicants. — Subject to the provisions of these Regulations, the Secretary of the Board, shall examine the applications so received and place the same before the Allotment Committee with his own findings. The Allotment Committee should only satisfy itself about the bonafides of the applicants for registration only. The Committee shall consist of the following: —

- (i) Chief Secretary — Chairman.
- (ii) Collector of Goa — Member.
- (iii) Housing Board Chairman — Member.

8. Drawal of lots for the purpose of Allotment. — The Chairman shall, in the presence of the Members of the Allotment Committee, proceed to draw lots corresponding to the number of tenements for the allotment of which applications are invited:

Provided that if the number of applications is less than the number of tenements to be allotted, the Chairman may allot the tenements to all such applicants:

Provided further that the applications of unsuccessful applicants shall continue to be registered and subjected to the drawal of lots depending upon the number of tenements available for allotment from time to time, in accordance with the provisions of these regulations;

(2) Separate lots will be drawn for allotment of tenements to applicants depending upon the income group and the category to which their applications relate;

(3) In so far as persons belonging to reserved categories are concerned, categorywise lots will be drawn in the same manner as provided in clauses (1) and (2) above.

9. Allotment of Tenements. — After the lots are drawn in accordance with the procedure laid down in Regulation 8 above, the Chairman shall prepare a list of successful allottees in the serial order in which the lots are drawn in their favour and will cause the allotment of tenements to be made accordingly:

(2) Similar lists will be prepared for the reserved categories and allotments made accordingly.

(3) The offer of allotment shall be issued in Form "II".

(4) On receipt of the offer of allotment, the allottee shall, within a period of 15 days, convey his or her acceptance of tenement in Form "III".

(5) The order of allotment of tenement shall be issued if Form "IV" as and when the tenement is ready for allotment.

(6) Failure to convey the acceptance within the period stipulated in clause (4) above, the allotment made will be cancelled and 5% of the money deposited by the applicant shall be forfeited to the Board and the balance refunded without any interest.

(7) The decision of the Chairman in the matter of allotment of the tenements shall be final and binding on the allottees.

(8) The tenement offered shall be on as is where is basis and the allottee shall not have any right to complain or raise any objection about its nature, condition or planning etc. or to claim any damages or compensation on that account from the Board.

10. Cost, calculation, etc. of Tenement. — (1) The cost of the tenement allotted shall be provisional in the first instance and shall be subject to variation after settlement of the account of the work.

(2) An allottee shall make payment within a period of 45 days of receipt of the order of allotment under the foregoing Regulations. Delayed payment shall be subject to penal interest at such rate as may be decided by the Board;

(3) The mode of payment of the tenement allotted shall be either on outright purchase basis or on hire purchase basis of 10 to 20 years, as the case may be, depending upon the option exercised in the application form:

Provided that it shall be open for the allottee who has opted for hire purchase to pay the total cost earlier than otherwise due.

(4) The allotment of tenement on hire purchase basis shall be subject to execution of an agreement agreeing to buy the tenement on hire purchase basis, within a period of 15 days from the date of payment of 20% of the provisional cost after receipt of the order of allotment under the foregoing regulation.

(5) The tenement offered on hire purchase basis shall be subject to execution of hire purchase agree-

ment on finalisation of the cost of the tenement. It shall also be subject to payment of difference, if any, in the 20% of the cost and payment of compound interest at such rate as may be fixed by the Board from time to time. The amount of equated monthly instalments will be worked out on the basis of the rate of interest so fixed.

(6) The allottee under hire purchase category shall punctually pay to the Board the whole of the equated monthly instalments on or before 10th of every month. Failure to pay by the due date, a penal interest at 6% will be charged on the unpaid amount till it is paid. The minimum amount of penal interest collected shall not be less than a month's interest notwithstanding the period of default being less than a month.

(7) The hire purchaser shall not be entitled to sublet the whole or any part of the tenement whatsoever.

11. Allottees to form a Society. — The allottees shall, as soon as the membership in a locality reaches the minimum number required to form a Housing Co-operative Society, submit an application to the Registrar of Co-operative Societies for the registration of the allottees as a Co-operative Society.

(2) The allottees who have formed themselves into a Co-operative Society shall pay to the Society their share of Municipal/Village Panchayat Taxes, water and electricity charges and common services e.g. common lights, sweepers, watchman, etc.

12. Misrepresentation or Suppression of Facts. — If it is found at any stage that the applicant has given false information or suppressed any material fact, the application shall be rejected and the allotment of tenement if already made shall be cancelled and the allottee shall be liable to pay the penalty as may be decided by the Board.

13. Other Conditions. — The powers to relax and or amend any of the provision/s of these Regulations shall rest with the Administrator/Lt. Governor.

14. Repeal. — These regulations issue in supersession of —

(i) the Goa, Daman and Diu Housing Board (Allotment and use of buildings constructed or managed under any Housing Scheme) Regulations 1971 as published in Official Gazette Series I, No. 15, dated 8-7-1971 read with corrigendum published in Official Gazette Series I, No. 32 dated 4-11-1971; and

(ii) the revised regulations regarding scheme for registration of intending purchasers of houses/flats and plots of land published in Official Gazette Series III, No. 13 dated 28-6-1973 read with amendment published in Official Gazette Series III, No. 25 dated 20-9-1973.

FORM I

Form of Application for Registration of a Tenement

[See Regulation 6(1)]

1. Applicant's full name (in block letters): ...

2. Address:

(a) Permanent: ...

(b) Present: ...

3. Occupation:

- (a) Name of Establishment/Office: ...
- (b) Nature of Job on which employed, if any ...
4. (a) Present pay including allowances ...
- (b) Total annual income of all the earning Members of the Applicant's family for the last financial/calendar year (certificate to be enclosed).
5. Income Group to which the applicant belongs (whether LIG, MIG, HIG or EWS)
6. Category for which applied (whether reserved or general; if reserved certificate in proof to be enclosed)
7. Amount of deposit made (whether by cash or pay order/demand draft No.)
8. Mode of payment if tenement is allotted (whether outright or hire purchase; if latter, state period of repayment as either 10 or 20 years)
9. Locality to which application relates
10. Whether owning a house within 10 kms. of the tenement applied for either as freehold or leasehold or on hire purchase basis; if not to be supported by an affidavit in (Form "V")
11. Whether owns more than one house/flat within the Union Territory (if not to be incorporated in the affidavit)
12. Period of residency in the Union Territory of Goa, Daman and Diu (Certificate to be attached)

I solemnly affirm and state, —

- (a) I have satisfied myself that I fulfil the conditions laid down in Regulation 3 of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1981;
- (b) The statements made above are true to the best of my knowledge and belief.

Date: — (Applicant's Signature).

FORM II

Offer of allotment

[See Regulation 9(3)]

In pursuance of Regulation 9(3) of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations, 1981, Shri/Smt./Kum. ... resident of ... is hereby offered tenement No. ... in ... Scheme at ... on ... basis under General/Reserved Category of ... at the provisional cost of Rs. ... (Rupees ... only) as per calculation sheet attached.

The offer shall be subject to the following conditions: —

- (1) The provisional cost of the tenement will be subject to revision after settlement of accounts of the work;
- (2) A sum of Rs. ... is deposited with the Board within a period of 45 days of receipt of the order of allotment of the tenement as per calculation sheet;
- (3) In case the tenement is allotted on hire purchase basis, 20% of the cost after deducting the initial deposit made plus interest accrued thereon together with first instalment of Rs. ... shall be payable as per details furnished in the calculation sheet.

In terms of Regulation 9(4) of the aforesaid regulations Shri/Smt./Kum. ... should convey his or her acceptance within a period of 15 days of receipt hereof failing which the offer will stand cancelled and 5% of the money deposited shall be forfeited to the Board and the balance refunded without any interest as provided in Clause (6) of Regulation 9 *ibid*.

(Chairman)

FORM III

Intimation of acceptance of offer of allotment

[As prescribed in Regulation 9(4)]

To,

The Chairman,
Goa, Daman and Diu Housing Board,
2nd Floor, Junta House,
Panaji-Goa.

Sir/Madam,

With reference to your offer of allotment made under No. ... dated ... I hereby convey my acceptance of the tenement unequivocally and without any reservation or any complaint on my part in respect of the said tenement.

I hereby agree to abide by the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations 1981 and the terms and conditions stipulated thereunder.

Yours faithfully,

FORM IV

Order of allotment

[See Regulation 9(5)]

In exercise of the power conferred by Regulation 9(5) of the Goa, Daman and Diu Housing Board (Registration, Allotment and Sale of Tenements) Regulations 1981, Shri/Smt./Kum. ... is hereby allotted tenement No. ... in ... Scheme at ... on ... basis under General/Reserved Category of ...

Shri/Smt./Kum. ... should remit the cost of the tenement within 45 days of receipt of this order, as per calculation sheet appended to the offer of allotment made.

The allottee should report to this office for taking possession of the tenement and for completion of other formalities, after remission of the cost.

(Chairman)

FORM V

Affidavit

(Note: To be executed before a Competent Magistrate on a non-Judicial Stamp Paper of Rs. 2/-).

I, Shri/Smt./Kum. ... son/daughter of ... do hereby solemnly affirm and state as under: —

1. That I have applied for allotment of a tenement in ... Scheme of the Goa, Daman and Diu Housing Board at ... on ... basis under General/Reserved Category of ...;
2. That neither myself nor any other member of my family own a residential house in ... locality where I have applied for the allotment of a tenement either as freehold or leasehold or on hire purchase basis;
3. That neither myself nor any member of my family own more than one house/flat in any other locality within the Union Territory of Goa, Daman and Diu either as freehold or leasehold or on hire purchase basis;

I further affirm that what is stated hereinbefore is true to my own knowledge and belief and I know that to make a false affidavit is an offence.

Deponent

GOVT. PRINTING PRESS — GOA

(Imprensa Nacional — Goa)

PRICE — 0-85 Ps.